

Rep. Pearce's Stance on 109th Congress Veterans' Legislation

BILLS COSPONSORED BY REP. PEARCE

Bill Number	Current Status	Legislative Description (as drawn from text of legislation, committee summaries, and/or other outside sources)	Nature of Cosponsorship
H.R. 5081 <i>Military Spouses Employment Act of 2006</i>	Introduced 4/4/06 - No House action Cosponsors: 121	Amends the Internal Revenue Code to include spouses of members of the Armed Forces on extended active duty (more than 90 days or for an indefinite period) as members of a targeted group for purposes of the work opportunity tax credit.	Currently a Cosponsor
HR 1635 <i>VETS Act of 2005</i>	Introduced 4/14/05 – No House action Cosponsors: 20	Amends the Internal Revenue Code of 1986 to allow employers a credit against income tax for hiring military service personnel who served in a combat zone or a hazardous duty area.	Currently a Cosponsor
<u>H.R. 4882</u> <i>Vietnam Veterans Memorial Visitor Center Enforcement Act</i>	Passed House 3/28/06 –Awaiting action in Senate Cosponsors: 6	To ensure the proper remembrance of Vietnam veterans and the Vietnam War by designating a site for a visitor center for the Vietnam Veterans Memorial.	An Original Cosponsor
<u>H.R. 292</u> <i>Military Death Benefit Improvement Act of 2005</i>	Introduced 1/20/05 – No House action Cosponsors: 243	Increases from \$12,000 to \$100,000 the death gratuity payable to the survivors of members of the Armed Forces who die while on active duty or inactive duty training. Increases eligible within 120 days after discharge or release from such duty or training, if the death resulted from an injury or disease incurred or aggravated during such duty or training.	Currently a Cosponsor
<u>H.R. 994</u>	Introduced 3/1/05 – Passed Govt Reform 6/16/05 – Awaiting HASC Action Cosponsors: 325	Rep. Pearce also supported this legislation in the 108th Congress Would allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and allow a deduction for TRICARE supplemental premiums.	Currently a Cosponsor

H.R. 3478 <i>Fallen Military Heroes Savings Act</i>	Introduced 7.27/05 – No House action Cosponsors: 98	Specifically, H.R. 3478 would do the following when applied to the military death gratuity: Waive the cap of \$4,000 for annual contribution to a Roth IRA; Waive the cap of \$5,250 for annual contribution to a Health Savings Account; Waive the cap of 75% of the deductible for contribution into an Archer MSA; Waive the cap of \$2,000 for annual contribution for Coverdell Education Accounts.	Currently a Cosponsor
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OTHER PENDING VETERANS LEGISLATION

Bill Number	Current Status	Legislative Description (as drawn from text of legislation, committee summaries, and/or other outside sources)	Reason for decision not to cosponsor at this time
H.R. 4949 Rep. Chet Edwards	Introduced 3/14/06 – No House action Cosponsors: 158	Prohibits an increase after December 31, 2005, in: (1) a premium, deductible, co-payment, or other charge prescribed by the Secretary of Defense for medical and dental health care coverage for military personnel; and (2) the dollar amount of a cost-sharing requirement under the DOD pharmacy benefits program. Prohibits: (1) charges for DOD inpatient care from exceeding \$535 per day; and (2) after December 31, 2005, an increase in premiums under TRICARE (a DOD managed health care program) for certain members of the Selected Reserve.	Not currently a Cosponsor: This issue has been addressed for Fiscal Year 2007. The FY 2007 Defense Authorization bill that passed the House on May 11, 2006 included a provision blocking the Department of Defense from raising TRICARE Prime and TRICARE Standard fees. In addition, the bill zeroes out co-pays for generic and formulary mail order prescriptions for military beneficiaries. This one-year halt on increases will allow Congress more time to examine the issues facing Veterans in the TRICARE program. Seniors, Medicare and Medicaid recipients as well as those who receive private insurance face increases in increased premiums, deductibles, co-payments and other charges. Should veterans in TRICARE be permanently exempt from cost increase? Is that the best policy for America, or should we work to make all Health Care more cost effective and more efficient?
<u>H.R. 2076</u> Sponsor: Rep. Michael <i>Retired Pay Restoration Act of 2005</i>	Introduced 5/4/05 – No House action Co-Sponsors: 25	Allows the receipt of both military retired pay and veterans' disability compensation with respect to any service-connected disability (currently, only a disability rated at 50 percent or more).	Not currently a Cosponsor: The 108 th Congress substantially addressed the statutory bar on concurrent receipt in 2003 and 2004, becoming the first Congress to substantially amend this 115-year-old law. Congressman Pearce was an early cosponsor of concurrent receipt legislation soon after he became a member of Congress. He strongly supported the compromise bill passed by Congress and signed by President Bush in 2003 (Public Law 108-136) as well as 2004 legislation that expanded concurrent receipt while ending the Survivor Benefit Plan offset by 2008 (PL 108-375). Under current law, military retirees having 100% rated disability are entitled to full concurrent receipt; together with Purple Heart recipients and Combat-Related Special Compensation veterans

			<p>who retired after 20 years and who have a disability rating ranging from 10%-100%.</p> <p>While the current law does not achieve the ideal objective of extending concurrent receipt to all military retirees with service-related disabilities, it provides help for those who need it most.</p>
<p><u>H.R. 303</u> Sponsor: Rep. Michael Bilirakis <i>Retired Pay Restoration Act of 2005</i></p>	<p>Introduced 1/25/05 – No House action Co-Sponsors: 225</p>	<p>Permits certain additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation and to eliminate the phase-in period under current law with respect to such concurrent receipt.</p>	<p>Not currently a Cosponsor: The 10-year phase-in period for concurrent receipt for military retirees having a disability rating of 50% or more is “front-loaded.” More military retirees will begin receiving a greater portion of concurrent receipt during the first several years of this transition.</p> <p>In a world of finite resources and tight budgetary realities, changing a policy that is more than one century old cannot happen all at once. Congressman Pearce believes that this phase-in period is reasonable and responsible, particularly at a time of war.</p>
<p><u>H.R. 1366</u> Sponsor: Rep. Michael Bilirakis <i>Combat-Related Special Compensation Act of 2005</i></p>	<p>Introduced 3/17/05 No House action Co-Sponsors: 37</p>	<p>This bill would extend eligibility for Combat-Related Special Compensation to service members who are medically retired for combat- or operations-related conditions before attaining 20 years of service. Currently, these members must forfeit \$1 of their military retired pay for each \$1 they receive in VA disability compensation. This legislation would ensure they receive the retired pay they earned by service by exempting from this dollar-for-dollar offset an amount of retired pay equal to 2.5% of their highest 3-year average basic pay times their years of service. For example, it would ensure a member who is disability retired for combat wounds with 15 years of service receives at least 37.5% of high-3 average basic pay from the Defense Department in addition to his or her VA disability compensation.</p>	<p>Not currently a Cosponsor: There is currently no cost estimate for this proposal. Congressman Pearce cannot responsibly support a bill without knowing its estimated cost to the American taxpayer, particularly when that legislation stands to be very costly.</p>
<p><u>H.R. 968</u> Sponsor: Rep. Jim Saxton</p>	<p>Introduced 2/17/05 – No House action Cosponsors: 139</p>	<p>To amend title 10, United States Code, to change the effective date for paid-up coverage under the military Survivor Benefit Plan from October 1, 2008, to October 1, 2006 at a cost of \$289,000,000.</p>	<p>Not currently a Cosponsor: The 108th Congress made notable strides to address the Survivor Benefit Plan (SBP) social security offset period. Congressman Pearce cosponsored legislation addressing this matter during his first months as a member of Congress.</p> <p>Public Law 108-375 included a phase-in to eliminate the social</p>

			security offset and restore the SBP, over 3½ years, to 55% of the base pay. Congressman Pearce believes that In a world where we must balance a tight federal budget against the fiscal realities of reform, it isn't always possible to make massive changes in a single year. Instead, such changes must be phased in over time.
<u>H.R. 808</u> Sponsor: Rep. Henry Brown <i>Military Surviving Spouses Equity Act</i>	Introduced 2/15/05 – No House action Co-Sponsors: 199 Discharge Petition filed on 11/16/06 H.Res. 271	This bill will repeals certain provisions that require the offset of amounts paid in Dependency and Indemnity Compensation (DIC) from Survivor Benefit Plan (SBP) annuities for the surviving spouses of former military personnel who are entitled to military pay or who would be entitled to retired pay except for being under 60 years of age.	Not currently a Cosponsor: There is currently no definitive cost estimate for this proposal. Estimates range from \$500 million to more than \$1 billion per year Congressman Pearce cannot responsibly support a bill without knowing its estimated cost to the American taxpayer, particularly when that legislation stands to be very costly.
<u>H.R. 4992</u> Sponsor: Rep. Sue Kelly <i>Veterans Medicare Assistance Act of 2006</i>	Introduced 3/16/06 – No House action Co-Sponsors: 6	To provide for Medicare reimbursement for health care services provided to Medicare-eligible veterans in facilities of the Department of Veterans Affairs.	Not currently a Cosponsor: This bill would make America's Veterans Administration Hospitals Medicare providers, heaping upon our burdened VA system more cases and more regulations. At a time when Congress is working to allow more Veterans options away from the VA hospital system is it prudent to put Medicare eligible veterans back into the system.
<u>H.R. 2369</u> Sponsor: Rep. Bob Filner <i>Honor Our Fallen Prisoners of War Act</i>	Introduced 5/16/05 – No House action Co-Sponsors: 211	Requires the Secretary concerned to award the Purple Heart to members of the Armed Forces who die in captivity under circumstances not otherwise establishing eligibility for the Purple Heart.	Not currently a Cosponsor: Military awards and medals cannot and should not be automatically given to someone based on their status but their service. Some who die in prison could be unworthy for award. Further study is needed to ensure tight rules are set up to ensure every recipient is worthy.